

Docket No. 1912-0316PUS1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: BEAUDET et al.  
Serial number: 10/537,118  
Filing date: February 9, 2006  
For: AN EXOPOLYSACCHARIDES DELIVERY SYSTEM FOR ACTIVE MOLECULES  
Art Unit: 1623  
Examiner: SCHMIDTMANN, BAHAR  
Agent: Mark J. Nuell

**DECLARATION UNDER 37 CFR 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Éric Simard, solemnly affirm the following:

- 1- That I am a co-inventor of the subject application.
- 2- That each of the following strains were deposited at the International Depositary Authority of Canada (IDAC, National Microbiology Laboratory, Health Canada, at 1015 Arlington St. Winnipeg, Manitoba, Canada R3E 3R2) on December 4, 2002 and are available under specific accession number as indicated below:

Strain	IDAC deposit accession No.
<i>K2</i>	041202-1
<i>ES1</i>	041202-2
<i>R2C2</i>	041202-3
<i>INIX</i>	041202-4




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- 3- That the depository recited in paragraph 2, affords permanence of the deposits and ready accessibility thereto by the public, if the patent is granted.
4. That all restriction on the availability to the public of the deposited materials recited in paragraph 2, will be irrevocably removed upon the granting of a patent.
5. That the materials have been deposited under conditions that assure that access to the materials will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. §1.14 and 35 U.S.C. §122.
6. That the deposited materials recited in paragraph 2, be maintained with all the care necessary to keep them viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited microorganisms, and in any case for the period of at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever period is longer.
7. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

And I have signed

8 June 2011  
date

  
Eric Simard